

ASSEMBLY BILL

No. 594

Introduced by Assembly Member Dymally

February 21, 2007

An act to add Chapter 13.8 (commencing with Section 25990) to Division 20 of the Health and Safety Code, relating to farm animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 594, as introduced, Dymally. Farm animals: confinement.

Existing law generally regulates the treatment of farm animals.

This bill would, subject to exceptions and commencing July 1, 2013, prohibit any person from keeping a farm animal, as defined, confined in an enclosure that does not permit sufficient space for each animal to stand, lie down, get up, move his or her head freely, rest, turn around completely, and extend all limbs and wings without touching any part of the enclosure or other animals.

Violation of these provisions would be punishable by a citation for a civil fine of up to \$1,000 for each violation, and up to \$1,000 for each day that the violation continues. The fine would be payable to the local agency issuing the citation.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 13.8 (commencing with Section 25990)
- 2 is added to Division 20 of the Health and Safety Code, to read:

CHAPTER 13.8. FARM ANIMAL CONFINEMENT

25990. For purposes of this section, the following terms have the following meanings:

(a) “Covered farm animal” means any domesticated mammal or bird that is used for food or fiber production.

(b) “Enclosure” means any cage, crate, or other structure used to confine a covered farm animal.

(c) “Person” means any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

25991. No person may keep any covered farm animal in an enclosure for all or the majority of any day that does not provide sufficient space for each animal to stand, lie down, get up, move his or her head freely, rest, turn around completely, and extend all limbs and wings without touching any part of the enclosure or other animals.

25992. For purposes of this chapter, “covered farm animal” does not include animals during lawful transportation, lawful rodeo exhibits, state or county fair exhibitions, 4-H programs, lawful slaughter, lawful scientific or agricultural research, or examination, test, individual treatment, or operation for veterinary purposes, or pigs during the seven-day period prior to the pig’s expected date of giving birth.

25993. (a) A peace officer, officer of a humane society as qualified under Section 14502 or 14503 of the Corporations Code, or officer of an animal control or animal regulation department of a public agency as qualified under Section 830.9 of the Penal Code, may issue a citation to a person or entity that violates this chapter.

(b) A citation issued under this section shall require the person cited to pay a civil penalty in an amount up to one thousand dollars (\$1,000) for each violation, and up to one thousand dollars (\$1,000) for each day that the violation continues. The civil penalty shall be payable to the local agency initiating the proceedings to enforce this chapter to offset the costs to the agency-related court proceedings.

(c) A person who violates this chapter may be prosecuted by the district attorney of the county in which the violation occurred, or by the city attorney of the city in which the violation occurred.

1 25994. (a) Sections 25990, 25991, 25992, and 25993 shall
2 become operative on July 1, 2013.

3 (b) It is the express intention of the Legislature, by delaying the
4 operative date of the provisions of this chapter, to allow a six-year
5 period for persons and entities engaged in agricultural practices
6 to modify their business practices to conform to the provisions of
7 the chapter.

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